

**Minutes Recap**  
**Marysville City Council, Regular Meeting**  
**January 14, 2002**

ORIGINAL  
000233

CORRECTED: SEE 1-28-02  
MINUTES *MWD*

<b>I. Call to Order</b>	7:00 p.m.
<b>II. Pledge of Allegiance</b>	
<b>III. Invocation</b>	
<b>IV. Roll Call</b>	
<b>V. Presentations</b>	
Mayor Weiser swore in Police Officers W. Forslof & M. Buell.	
Mayor Weiser presented Liz Van Dyke with a Certificate of Appreciation for her three years of service on the Park Advisory Board.	
Mayor Weiser read a proclamation welcoming home the USS Ingraham.	
<b>VI. Committee Reports</b>	
Mayor Weiser spoke regarding a budget amendment for a study to be conducted in the north end for approximately \$210,000-\$230,000.	
Ms. Swenson introduced the new Human Resources Manager, Kristie Guy to the City Council.	
<b>VII. Audience Participation</b>	
No one wished to speak on non-agenda items.	
<b>VIII. Approval of Minutes</b>	
November 26, 2001 City Council Meeting	Approved
November 27, 2001 City Council/Planning Work Shop	Approved as Amended
December 3, 2001 City Council Work Session	Approved as Amended
December 10, 2001 City Council Meeting	Approved
<b>IX. Consent Agenda</b>	
A. Approve the December 31, 2001, & January 14, 2002 claims.	Approved
B. Approve the December 2001 payroll.	Approved
C. Accept 2001 Crack Sealing Project as complete & begin 45 Day lien filing period.	Approved
D. Accept Phase I of Pole Building project & begin 45 Day lien filing period.	Approved
E. Approve Final Plat; Woodland Gardens-PA 0006024.	Approved
F. Approve Final Plat-Brighton Park Ridge-PA 0003009.	Approved
G. Approve Evercom inmate pay telephone agreement.	Approved
<b>X. Current Business</b>	
A. Request for waiver of capital improvement fees by Arlington Christian School.	Denied
B. Approve of animal control license fee ordinance amendment.	Approved
<b>XI. New Business</b>	
A. Supplemental Agreement #2 with Perteet Engineering for Ash Avenue Park & Ride.	Approved

**Minutes Recap**  
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000234

B. Contract award for surface water comprehensive plan revision & surface water utility rate study with Entranco.	Approved
<b>XII. Legal</b>	
A. Renewal of contract for City Attorney.	Approved
B. Renewal of contract for Plans Examiner.	Continued
<b>XIII. Ordinances and Resolutions</b>	
A. Ordinance 2041 annexing the area known as the Orr Annexation.	Approved
B. Resolution 2055 Thanking Shirley Bartholomew for her service as City Councilmember.	Approved
C. Resolution 2056 Thanking Jim Brennick for his service as City Councilmember.	Approved
D. Resolution 2057 Thanking NormaJean Dierck for her service as City Councilmember.	Approved
E. Resolution 2058 Thanking Donna Pedersen for her service as City Councilmember.	Approved
F. Resolution 2059 Declaring certain items of personal property surplus & authorizing the sale or disposal thereof.	Approved
<b>XIV. Information Items</b>	
<b>A. Mayor's Business</b>	
1. Appointment of Snohomish Health District Board member.	Donna Wright
2. Annual City Council retreat on March 8 & 9.	Announced
<b>B. Staff Business</b>	
Chief Carden announced receiving a \$2,300 grant for department equipment	
Ms. Swenson announced a special Executive Session on January 24 at 4:00 p.m. at City Hall.	
Mr. Buell announced a Cable TV Survey sent to citizens.	
Mr. Weed announced the hiring of a para-legal by his firm well versed in municipal law.	
Mr. Winckler announced a Public Works Committee meeting January 17 at 7:30 a.m.	
<b>C. Call on Councilmembers</b>	
Smith: Motion to discuss the invocation at a future meeting.	Approved
Seibert: Motion to put items on the agenda for discussion at Regular Meetings & at Work Sessions.	Approved
<b>XV. Adjournment</b>	
The Council adjourned into Executive Session at 9:30 p.m.	
<b>XVI. The Council returned to Regular Session at 9:50 p.m.</b>	
Motion: Authorizing the Mayor to Sign the Purchase Sale Agreement for the Filtration Plant for the Ranney Well site.	Approved
<b>XVI. Adjournment</b>	
<b>XVII</b> The meeting adjourned at 9:59 p.m.	

ORIGINAL

000235

**I. Call to Order**

Mayor Weiser called the meeting to order at 7:00 p.m.

**II. Pledge of Allegiance**

The assembly joined in the pledge to the flag.

**III. Invocation**

Police Chaplain, Dennis Niva, gave the invocation.

**IV. Roll Call**

Roll call was taken with the following present:

**Councilmembers**

David Weiser, Mayor  
Mike Leighan-Mayor Pro Tem  
Tom Grady  
Donna Wright  
Jeff Seibert  
Jon Nehring  
John Soriano  
Suzanne Smith

**Administrative Staff**

Mary Swenson, Chief Administrative Officer  
Robert Carden, Police Chief  
Sandy Langdon, Finance Director  
Grant Weed, City Attorney  
Gloria Hirashima, Planning Director  
Ken Winckler, Public Works Director  
Jim Ballew, Director Parks & Recreation  
Doug Buell, Community Information Officer  
Kristie Guy, Human Resources Manager  
Roberta Stevens, Recording Secretary

**Police Officer Swearing In**

Mayor Weiser preformed the swearing in of Police Officers Michael Buell and Wallace Forslof.

**V. Presentations**

**A. Presentation to Liz Van Dyke**

Mayor Weiser presented Liz Van Dyke a certificate of appreciation for her service to the City on the Parks and Recreation Advisory Board for three years.

000236

**B. Proclamation Welcoming Home the USS Ingraham.**

Mayor Weiser read a proclamation welcoming home the USS Ingraham and her crew which will arrive in port on January 21, 2002.

**VI. Committee Reports**

Mayor Weiser said he would be asking for a budget amendment regarding the 200 acres in the north end that have been proposed as a development. He announced that there would be a budget amendment brought back to do the eight point study on the interchange. The study will cost approximately \$210,000-\$230,000. Mr. Bill Binford, one of the developers, was in the audience to answer any questions that the City Council might have. There were no questions presented.

Mary Swenson introduced Kristie Guy the new Human Resources Manager to the City Council.

**VII. Audience Participation**

No one wished to speak on non-agenda items.

**VIII. Approval of Minutes**

- A. November 26, 2001 City Council Meeting.**
- B. November 27, 2001 Joint Workshop (City Council and Planning Commission).**
- C. December 3, 2002 City Council Meeting.**
- D. December 10, 2001 City Council Meeting.**

Mr. Weed explained how the City Council could approve the minutes under the "doctrine of necessity" as long as the City Council members that were not present at the prior meetings in question had been provided with a copy of the minutes and they had studied them.

Councilmember Seibert said he would abstain from voting on all of the minutes because he had not had an opportunity to study them.

**MOTION** by Leighan, second by Smith to approve the minutes of the November 26, 2001 meeting. **MOTION** passed 6-0.

Councilmember Soriano corrected the street error in the November 27, minutes to 156<sup>th</sup> Street, not 152<sup>nd</sup> Street. **MOTION** by Leighan, second by Smith to approve the minutes of the November 27, 2001 meeting with the corrections. **MOTION** passed 6-0.

Councilmember Soriano corrected the street error in the December 3, minutes to 156<sup>th</sup> Street, not 152<sup>nd</sup> Street. **MOTION** by Leighan, second by Smith to approve the minutes of the December 3, 2001 meeting with the corrections. **MOTION** passed 6-0.

**MOTION** by Leighan, second by Smith to approve the minutes of the December 10, 2001 meeting. **MOTION** passed 6-0.

**IX. Consent Agenda**

**A. Approval of December 31, 2001 Claims in the Amount of \$1,346,497.29; Paid by Check Nos. 63160 through 63804 with Check Nos. 62865, 63299, and 63608 Void and January 14, 2002 Claims in the Amount of \$244,429.45 Paid by Check Nos. 63805 through 63837.**

**B. Approval of December, 2001 Payroll in the Amount of \$1,104,266.64; Paid by Check Nos. 42183 through 42373 with Check Nos. 42371, 42183, and 42184 Void.**

**C. Acceptance of 2001 Crack Sealing Project as Complete and Begin 45-Day Lien Filing Period.**

**D. Acceptance of Phase I of the Pole Building Project and Begin 45-Day Lien Filing Period.**

**E. Approval of Final Plat; Woodland Gardens; PA 0006024.**

**F. Approval of Final Plat; Brighton Park Ridge; PA 0003009.**

**G. Evercom Inmate Pay Telephone Agreement.**

**MOTION** by Leighan, second by Nehring to approve consent agenda items A-G. **MOTION** passed 7-0.

000238

**X. Current Business**

**A. Request for Waiver of Capital Improvement Fees by Arlington Christian School**

Mr. Winckler said that the recommendation of Staff was to deny the request for the waiver of the capital improvement fees for Arlington Christian School. Staff feels it is precedent setting and an inappropriate gift of public funds.

Councilmember Nehring asked if he should not vote on this issue because he graduated from Arlington Christian School. Mr. Weed said that would not preclude him from voting on the issue.

John Koster of 21301 SR 530 NE, Arlington, spoke on behalf of Arlington Christian School being granted the request for waiver of the fees.

Mayor Weiser said that extensions must be paid for by the developer, to pay for other infrastructure for the school.

Councilmember Nehring asked about increased usage and the amount of the fees. Mr. Koster replied that there was no increased usage. Mr. Winckler said that the amount owed to the City was \$4,896.

Gary Graber of 21301 State Rd 503 NE, Arlington, spoke on behalf of Arlington Christian School being granted the request for waiver of fees. He pointed out that laying the original line was very expensive.

Mayor Weiser asked if there was anyone else that wished to speak to the issue, no one asked to speak and public input on the issue was closed.

A lengthy discussion by the City Council took place among the members covering the requirement of the Marysville School District to pay the fees, costs for maintenance, future water requirements, and government mandates placed on the City. Timing of the fee payment and the possibility of a recovery contract were also discussed.

Mr. Winckler said he would go back to the original files and help the council and the applicant understand why the recovery contract wasn't applied for or granted in 1995.

000239

Mr. Weed said that the State law does not give an avenue of presenting a recovery contract if it is over 60 days after the completion of the project. The life of the recovery contract is 15 years.

Mr. Weed pointed out that per Marysville City Code, the purpose of the fee is an investment in the rest of the City requirements; the City does not have a provision in the code for a waiver of fees. The requirements in our bonding covenants prohibit the City from waiving fees. Mr. Weed suggested that the annual Human Services grant could be applied for instead, but time of year is probably not right to receive those funds now. Mr. Weed said that in the bonding applications the City promises to not waive fees.

**MOTION** by Leighan, second by Nehring to deny the request without prejudice. **MOTION** passed 7-0.

#### **B. Animal Control License Fees.**

Richard Huffman of 19206 32<sup>nd</sup> Ave NE, Lake Forest Park, spoke as a representative from the Progressive Animal Welfare Society (PAWS) in favor of the proposed ordinance. He noted that currently at PAWS only 2% of cats are returned to owners, 98-99% are euthanised or adopted.

Mayor Weiser asked if there was anyone else that wished to speak, there were none and the public input portion was closed.

A discussion was held by the councilmembers regarding their views on fees and lifetime licensing.

**MOTION** by Nehring, second by Seibert to direct staff to come back with an amending ordinance on the issue, with the following fee schedule:

\$30 for lifetime altered animals

\$20 a year for unaltered animals

\$10 a year for altered animals

\$15 a year for citizens 60 years or older for altered animals.

A friendly amendment by Councilmember Wright was offered and accepted by Councilmember Nehring to have the current lifetime licenses grandfathered. **MOTION** passed 7-0.

Mr. Weed asked what the time frame was for the effective date. April 1, 2002 was decided.

000240

**XI. New Business**

**A. Supplemental Agreement #2 with Perfet Engineering for Ash Avenue Park and Ride Project.**

Mayor Weiser said that Community Transit would like the City to consider a different name for the Ash Avenue Park and Ride, because of confusion with another Ash Park and Ride, so the councilmembers should be thinking about that.

**MOTION** by Smith, second by Leighan to approve Supplemental Agreement #2. **MOTION** passed 7-0.

**B. Contract Award – Surface Water Comprehensive Plan Revision and Surface Water Utility Rate Study.**

Randy Brower, Program Engineer Surface Water, answered questions that the councilmembers had from the last meeting. He said that Mr. Simler was present from Entranco to answer any questions that the councilmembers might have.

Councilmember Leighan asked about the Master Drainage Committee make up and if all meetings would be public meetings, because of the four councilmembers on the committee. Mr. Winckler said that only one needed to serve, and they could take the information back to the whole Public Works committee then that committee could look at it further prior to bringing to the council.

Councilmember Seibert asked if a member would be from the public at large; Mayor Weiser responded that there would be. Councilmember Seibert asked the Mayor to advertise for participants.

No one in the audience asked to speak on the issue; public input was closed.

**MOTION** by Soriano, second by Leighan to approve the staff recommendation to accept the proposal in the amount of \$100,000 and authorize the Mayor to sign the agreement with Entranco. **MOTION** passed 7-0.

**XII. Legal**

**A. Renewal of Contract for City Attorney; Keithly, Weed, Graafstra, and Benson, Inc. P.S.**

Councilmember Leighan said the City is very fortunate to have the law firm and attorney that we have. **MOTION** by Leighan, second by Nehring to approve the contract renewal with Keithly, Weed, Graafstra and Benson. **MOTION** passed 7-0

**B. Renewal of Professional Services Agreement for Plan Examiner Services; Tim Nordvedt.**

Ms. Hirashima said the Planning Department has been reducing reliance on outside contracting, due to having certified plan reviewers on staff. Mr. Nordvedt is used only for short periods when there are high volumes and we are unable to keep up or when there is a very complex commercial plan where we would appreciate outside help. Other than that plans are reviewed in-house.

**XIII. Ordinances and Resolutions**

**A. An Ordinance of the City of Marysville, Washington Annexing Certain Unincorporated Area Known as the Orr Annexation Area into the City of Marysville.**

Councilmember Smith asked for a small map of the final area to be annexed to please be provided in the future.

**MOTION** by Wright, second by Leighan to adopt Ordinance 2041. **MOTION** approved 7-0.

**B. A Resolution of the City of Marysville Thanking Shirley Bartholomew for her Service as City Councilmember.**

**MOTION** by Wright, second by Leighan to adopt Resolution 2055. **MOTION** passed 7-0.

**C. A Resolution of the City of Marysville Thanking Jim Brennick for His Service as City Councilmember.**

**MOTION** by Seibert, second by Smith to adopt Resolution 2056. **MOTION** passed 7-0.

CORRECTED: SEE MINUTES 1.18.02

**D. A Resolution of the City of Marysville Thanking NormaJean Dierck for her Service as City Councilmember.**

*Smith* *Seibert*  
**MOTION** by *Seibert*, second by *Smith* to adopt Resolution 2057. **MOTION** passed 7-0.

**E. A Resolution of the City of Marysville Thanking Donna Pedersen for her Service as City Councilmember**

**MOTION** by Nehring, second by Soriano to adopt Resolution 2058.  
**MOTION** passed 7-0.

**F. A Resolution of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.**

**MOTION** by Leighan, second by Smith to adopt Resolution 2059. **MOTION** passed 7-0.

**XIV. Information Items**

**A. Mayor's Business.**

**1. Appointment of Snohomish Health District Board Member.**

Mayor Weiser asked Council for their recommendations.  
Councilmember Nehring nominated Councilmember Wright.  
Councilmember Seibert nominated Councilmember Smith.  
Councilmember Wright received the majority vote.

Mayor Weiser asked if the councilmembers wanted coffee provided at the council meetings. The consensus was no; however, Councilmember Wright asked to be provided with more water. The Mayor assured her that more pitchers would be provided in the future.

Mayor Weiser announced that the City Council's annual retreat would be March 8 and 9 and that Staff would be getting information out to the councilmembers soon.

**B. Staff Business.**

Chief Carden announced that the Police Department received a grant request for \$2,300 for four preliminary breath testers, and one hand held radar unit.

Ms. Swenson complimented the City Council on the good meeting. She announced that there would be a Special Executive Session meeting Thursday, January 24, at 4 p.m. for approximately two hours at City Hall.

Mr. Doug Buell said that the Marysville Messenger went out to 19,000 homes including a survey regarding Cable TV and a request that the survey be returned to City Hall by February 7. The survey includes service and types of cable packages citizens might want. Additional surveys tailored for special interest groups are also being sent out. Mr. Buell also announced that at the Marysville University on Thursday, February 21, from 7 to 9 p.m. at the Ken Baxter Senior/Community Center he would share the data from the survey at that time with the class participants. On Wednesday, February 20 the Marysville University topic will be traffic at the same place and time.

Mr. Weed said he was glad to be back and apologized for not being at orientation but understood it went well. He said thanked the council for approving his contract. Mr. Weed announced that his office had hired a Para-legal who is well versed in municipal law and will give the City excellent service. She will start work in about a week or so and may attend a City Council meeting shortly thereafter.

Mr. Winckler announced that there would be a Public Works committee meeting Thursday, January 17 at 7:30 a.m.

**C. Call on Councilmembers.**

Councilmember Smith said that there was a Library Board meeting today and apologized that she had a previous family commitment and she missed the meeting. She commented on being opposed to voting on issues at Council Work Sessions and actions being taken at those sessions because the public is not allowed input at work sessions. The Mayor said that is a procedural item and the issue should be brought back to the next regular meeting.

Councilmember Smith also said that she was concerned about the prayer that was said tonight because it left out some people, because we are

not all Christians. She feels that the invocation should try to bring people together instead of being divisive.

**MOTION** by Smith, second by Seibert to discuss the invocation at a future council meeting with an effort towards making it more inclusive and non-denominational.

Mr. Weed said one thing that is important for the council to keep in mind is that the invocation words must be of non-denominational nature. He suggested it might be appropriate to a give brief written guidelines about what kind of invocation is acceptable to persons planning to give the invocation.

Councilmember Wright said her intent was to have a non-denominational invocation.

**MOTION** passed 6-1 with Nehring opposed.

Councilmember Smith asked the details of the Martin Luther King, Jr. celebration. She was told that the march begins at 10:30 a.m. at Everett Community College, and ends at the Amphitheater. Martin Luther King III will be speaking at the ceremony. Ms. Swenson will look into further details and get them to the Council.

Councilmember Nehring gave kudos to Marysville Police on their auto theft arrests.

Councilmember Seibert said that he asked for a couple of pieces of information at the last meeting from Chief Carden and Ms. Hirashima that he still had not received. Ms. Swenson said it would be in Mr. Seibert's council mailbox tomorrow.

**MOTION** by Seibert, second by Nehring to put on the agenda items to discuss at work sessions and regular sessions. **MOTION** passed 7-0

Mr. Weed said that Resolution 2035 that the City has in place has a provision in it that calls for review of council procedures in even numbered years in January. The Governmental Affairs committee may want to bring back to council their suggestions. Councilmember Wright questioned why the council was discussing this when it was going to be discussed at the retreat.

000245

Ms. Swenson said she was considering a new format of sitting around tables at work shops for the council and staff.

Councilmember Wright said she would bring back information to the council from the Washington forum she will be attending. She also reminded the other councilmembers of the AWC meetings in Olympia on January 30 and 31. The reception is Wednesday night, with meetings all day Thursday.

Councilmember Grady said he was impressed with the orientation and congratulated Mary, Gerry and their staff for the good job.

Councilmember Leighan said he has been reading about cities doing phone surveys. He feels that perhaps an in-depth survey should be conducted by Marysville given I-747 and our limited revenues so that the council can get an idea of what the priorities are for our citizens. Mr. Buell is currently trying to gather some input on just such a survey.

Councilmember Smith asked if they utilized volunteers for the survey. Councilmember Leighan said it would need to be a professional survey. He said that the Tribes have just finished a survey on the Reservation and questions about Marysville were included in that survey. A consensus of the council was that they all liked the idea. Councilmember Leighan suggested a random phoning, so that it is not as easy to skew the results as an email or the internet survey would.

Councilmember Leighan said that Stanwood's reassessment levy rate downwards still leaves Stanwood 50% higher than Marysville.

**D. Renewal of Professional Services Agreement for Hearing Services; McConnell/Burke, Inc.**

**XV. Adjournment**

Mayor Weiser adjourned the meeting into executive session at 9:25 p.m. Mr. Weed said there would probably need to be a vote taken on a real estate matter after the Executive Session.

**XVI. Executive Session**

Council returned from Executive Session at 9:58 p.m.

000246

**MOTION** by Leighan, second by Soriano to authorize the Mayor to sign the purchase sale agreement for the filtration plant for the Ranney Well site.  
**MOTION** passed 7-0.

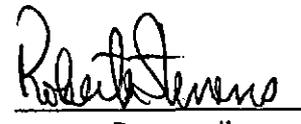
**XVII. Adjournment**

Meeting adjourned at 9:59 p.m.

Approved this 28<sup>th</sup> date of January, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Recording  
Secretary

OK/SIN/12

Marysville City Council Work Session

January 7, 2002

7:00 p.m.

Public Safety Center

000225

I. Call to Order

Mayor Weiser called the meeting to order at 7:00 p.m.

II. Pledge of Allegiance

The assembly joined in the pledge to the flag.

CORRECTED: SEE 1-28-02  
MINUTES MSO

III. Roll Call

Roll call was taken with the following present:

**Councilmembers**

David Weiser, Mayor  
Mike Leighan-Mayor Pro Tem  
Tom Grady  
Donna Wright  
Jeff Seibert  
Jon Nehring  
John Soriano  
Suzanne Smith

**Administrative Staff**

Mary Swenson, Chief Administrative Officer  
Robert Carden, Police Chief  
Sandy Langdon, Finance Director  
Grant Weed, City Attorney  
Gloria Hirashima, Planning Director  
Ken Winckler, Public Works Director  
Jim Ballew, Director Parks & Recreation  
Doug Buell, Community Information Officer  
Roberta Stevens, Recording Secretary

IV. Action Items

A. Election of Mayor Pro Tem.

Councilmember Smith nominated John Soriano.  
Councilmember Wright nominated Mike Leighan  
A roll call vote was taken with Councilmembers Grady, Wright, Nehring and Leighan voting for Councilmember Leighan. Councilmembers Smith, Seibert, and Soriano voted for Soriano.  
Councilmember Leighan will serve as Mayor Pro Tem for the next two years.

V. Discussion Items

A. Contract Award – Surface Water Comprehensive Plan Revision and Surface Water Utility Rate Study.

Mr. Winckler gave an overview of the bid qualifications of Entranco and background information for the council. Staff recommends awarding the bid to Entranco.

Councilmember Leighan noted that there was a 15-month window in the Plan Study, and that generally the contractors seem to run behind on these projects. He asked if anything can be built in to make certain the contractor complies within the 15-month window. Mr. Winckler said that an incentive plan could be built in to the construction phase, but it is not generally done in the study phase. Entranco is also working on a portion of the County's project.

Councilmember Smith asked several questions of Mr. Winckler, he said he will have the information available for the council at the next meeting.

Councilmember Seibert asked what the County charges and how do they arrive at that rate? Mr. Winckler said that the formula for the County's charges is based on \$31 residential lines per year.

**VI. Other Items Scheduled for January 14, 2002 Meeting**

**A. Approval of Minutes.**

1. **November 26, 2001 City Council Meeting.**
2. **November 27, 2001 Joint Workshop (City Council and Planning Commission).**
3. **December 3, 2001 City Council Work Session.**
4. **December 10, 2001 City Council Meeting.**

**B. Approval of January 14, 2002 Claims.**

**C. Approval of December, 2001 Payroll in the amount of \$1,015,594.25; Paid by Check Nos. 42183 through 42373 with Check Nos. 42371, 42183, and 42184 Void.**

**D. Acceptance of 2001 Crack Sealing Project as Complete and Begin 45-Day Lien Filing Period.**

**E. Acceptance of Phase I of the Pole Building Project and Begin  
45-Day Lien Filing Period.**

000227

Councilmember Leighan asked if there was a time estimate when the Pole Building will be completed and if there would be water and sewer service to the building; Chief Carden said they are hoping for occupancy in July 2002 and there will be water and sewer in the building.

**F. Approval of Final Plat; Woodland Gardens; PA 0006024.**

Councilmember Smith asked about the Chlordane found on the property; Ms. Hirashima responded that the applicant was required to clean it up and provide documentation that it has been disposed of at an authorized hazardous waste facility.

**G. Approval of Final Plat; Brighton Park Ridge PA 0003009.**

Councilmember Leighan requested a summary of the fees paid, Mr. Winckler will provide this at the January 14 meeting. Councilmember Seibert would like the wording changed on the final plat checklist from signage/stripping installed, to indicate it is bonded for, but not necessarily installed. Ms. Hirashima said she would review the form.

**VII. Current Business**

**A. Evercom Inmate Pay Telephone Agreement.**

**B. Request for Waiver of Capital Improvement Fees**

**C. Animal Control License Fees**

Councilmember Seibert asked if the animals will still go to Everett. Chief Carden said yes, per contract, and the City may expand the cat trap program.

**D. Ebey Slough Waterfront Access Agreement with IAC**

Continued until the January 28 meeting.

Councilmember Smith asked if they are still in process of getting more testing done per Council instruction. Mr. Winckler responded

preliminary testing has been done, but the final report is not available yet. The city engineering department has the IAC report; it will be put in summary for the councilmembers.

Councilmember Leighan asked how the other time frame looks, Mr. Winckler said they are revising it now, and they are looking at the potential of 18 months until permission is received from the Corp of Engineers. Mr. Ballew said it could be anywhere from 12 to 24 months.

Councilmember Seibert said he didn't notice if there was anything planned to deal with contamination; Mr. Winckler said that would be developed at the time any is discovered. The new bridge construction will result in the turnstile and old bridge will be removed.

Councilmember <sup>SORIANO</sup> Seibert asked about the 19,000 cubic yards of fill. Mr. Ballew said that it was for structural fill prior to capping.

CORRECTED: SEE MINUTES 1.28.02  
MB

**VIII. New Business**

**A. Supplemental Agreement #2 with Perteet Engineering for the Ash Avenue Park and Ride Project.**

**IX. Legal**

**A. Renewal of Contract for City Attorney; Keithly, Weed, Graafstra, and Benson, Inc. P.S.**

Councilmember Soriano noted that the contract language needed to be changed from three to four meetings a month in two places of the contract.

**B. Renewal of Professional Services Agreement for Hearing Examiner Services; McConnell/Burke, Inc.**

Ms. Hirashima will have information ready for the January 14 meeting.

**C. Renewal of Professional Services Agreement for Plan Examiner Services; Tim Nordvedt.**

Ms. Hirashima will have information ready for the January 14 meeting.

X. **Ordinances & Resolutions.**

000229

- A. **An Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Orr Annexation Area into the City of Marysville.**
- B. **A Resolution of the City of Marysville Thanking Shirley Bartholomew for her Service as City Councilmember.**
- C. **A Resolution of the City of Marysville Thanking Jim Brennick for his Service as City Councilmember.**
- D. **A Resolution of the City of Marysville Thanking NormaJean Dierck for her Service as City Councilmember.**
- E. **A Resolution of the City of Marysville Thanking Donna Pedersen for her Service as City Councilmember.**
- F. **A Resolution of the City of Marysville Declaring Certain Items of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.**

XI. **Information Items**

A. **Mayor's Business**

Mayor Weiser reminded the councilmembers of the orientation scheduled for Friday, January 11 at 8:00 a.m. and Saturday, January 12 at 9:00 a.m. at the Marysville Library large conference room.

Mayor Weiser explained that he has changed the number of Council Committees to five, with three councilmembers on each committee; two committees per councilmember with the Mayor Pro Tem on three. The Mayor made the following appointments:

**Governmental Affairs**—Leighan, Soriano, Grady.

**Finance**—Smith, Nehring, Wright.

**Public Works**—Leighan, Seibert, Grady.

**Public Safety**—Leighan, Soriano, Wright

**Facilities**—Smith, Nehring, Seibert.

000230

There was a general discussion regarding committee appointments. **MOTION** by Smith, second by Seibert to discuss the appointments at the Council Orientation. **MOTION** passed 6-1 with Wright opposed.

**1. Appointment of Community Transit Board Member.**

Councilmember Leighan nominated Mayor Weiser as the Community Transit Board member.

**MOTION** passed unanimously 7-0.

**2. Appointment of Snohomish Health District Board Member.**

This will be discussed at the Council Orientation.

**B. Staff Business**

Ms. Swenson welcomed new councilmembers.

Mr. Weed said he is looking forward to working with the new councilmembers.

Ms. Hirashima reminded people of the Lakewood neighborhood meeting.

Mr. Winckler said that the Public Works meeting will be on January 11 at 7:30 a.m.

**C. Call on Councilmembers**

Councilmember Leighan advised Mr. Winckler that the Cedar Ave. overlay project is sloughing off on 4<sup>th</sup> St. Mr. Winckler said they were aware of that situation and some steps will have to be taken, adding that the crosswalks will be repainted. He extended a welcome to the new councilmembers.

Councilmember Smith welcomed the new councilmembers and handed out a copy of an article regarding police dog attacks to Chief Carden and the councilmembers. She asked what was happening with the Burger King site. Ms. Hirashima said there have been delays because the owners are out of Washington now. Councilmember Smith asked about the Shoultes Road Design report, Mr. Winckler said yes, he has seen a summary.

Marysville City Council Work Session

January 7, 2002

7:00 p.m.

Public Safety Center

000231

Councilmember Soriano asked Ms. Swenson if the meetings with the school district are on the back burner. She replied that they were at this time.

Councilmember Nehring said he is looking forward to working with the councilmembers and the staff.

Councilmember Seibert asked when the Police Department was expecting to purchase their canines. Chief Carden said so far they have raised \$13,000. for the purchase of the dogs. Chief Carden offered to send a copy of the background to the councilmembers.

Councilmember Seibert asked for the proposed code change language that the Planning Commission is considering. Ms. Hirashima indicated she would get copies of proposed code changes to the council.

Councilmember Wright said she is looking forward to working with the Mayor, councilmembers and staff. She suggested opening all City Council meetings with an invocation. She has spoken to the Emergency Services Chaplain and he supports the idea. **MOTION** by Wright, second by Nehring to have various local ministers deliver a 60-90 second non-denominational invocation before each council meeting. Councilmember Smith said she would like to see it as an agenda item and discussed further. **MOTION** passed 5-2 with Smith and Seibert opposed.

**D. 58<sup>th</sup> Drive Culvert Repairs.**

**E. Marysville Police Department 2000 Annual Report.**

**F. Planning Commission Minutes; November 14, 2001.**

**XII. Executive Session**

The Mayor adjourned the meeting into Executive session at 8:45 p.m.

**XIII. Adjournment**

The council returned to regular session at 9:05 p.m. and adjourned with no further action.

CORRECTED: SF  
MINUTES  
1-28-02  
M

Marysville City Council Work Session

January 7, 2002

7:00 p.m.

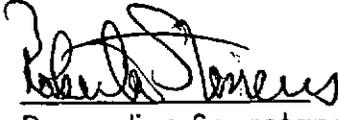
Public Safety Center

000232

Approved this 28<sup>th</sup> day of January, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Recording Secretary

## MARYSVILLE CITY COUNCIL WORK SESSION

January 3, 2006

7:00 p.m.

City Hall

**CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE**

Mayor Dennis Kendall called the January 3, 2006 work session of the Marysville City Council to order at 7:00 p.m. There was no invocation. Mayor Kendall then led those present in the Pledge of Allegiance.

**ROLL CALL**

Chief Administrative Officer Mary Swenson gave the roll call. The following staff and councilmembers were in attendance.

**Mayor:** Dennis Kendall

**Council:** Lee Phillips, Carmen Rasmussen, Jeff Seibert, John Soriano, Jeff Vaughan, Donna Wright and Mayor Pro Tem Jon Nehring

**Staff:** Mary Swenson, Chief Administrative Officer; Craig Knutson, City Attorney; Gloria Hirashima, Community Development Director; Cheryl Dungan, Senior Planner; Paul Roberts, Public Works Director; Jim Ballew, Parks and Recreation Director; Doug Buell, Community Information Officer; and Laurie Hugdahl, Recording Secretary.

Mayor Kendall thanked everyone for coming and wished them a Happy New Year.

**COMMITTEE REPORTS**

Jeff Vaughan reported that the LEOFF 1 Committee met last Tuesday. At that time they reviewed and approved four claims. Walt McKinney was re-elected Chairperson. Jeff Vaughan was elected Chair Pro Tem.

**PRESENTATIONS****A. Golf Committee Recommendations.**

Chief Executive Officer Mary Swenson gave an overview of this issue. Tom St. Onge, Chairman; Bob Steenfott, member; and Doug Buell, staff liaison were present to discuss the committee's recommendations. Doug Buell discussed the competitive environment of the golf courses in the area and the ongoing deficit of the Cedarcrest Golf Course and the specific recommendations of the committee as outlined in council's packets.

Mary Swenson commented that the committee functioned essentially independently although she and the Mayor did sit in on a few meetings. This allowed for more thoughtful input about ways that the golf course can function more efficiently. She recognized all those who participated on the committee: Tom St. Onge, Wayne Combs, Larry Jubie, Cory Long,

Jim Lonneker, Steve Muller, Pat Nelson, Ed Phelps, Gail Rauch, Aaron Soper, Bob Steenfott, Jodi Widmann, Jon Nehring, Doug Buell and Judy Coonts, and thanked them for their participation. She noted that this was a balanced group of individuals and that there was positive, honest exchange among the members.

Mayor Kendall added that they would have the financial information available at the next work session after Finance Director Sandy Langdon returns from vacation. Councilmember Nehring commented that this was a citizen-driven committee that came up with a lot of good, solid recommendations.

Jeff Seibert asked which ideas had already been implemented. Mayor Kendall highlighted these. Jim Ballew indicated he would have information regarding the POS software for the next meeting. He noted that engineers have looked conceptually at ideas for installing a detention pond and other money-saving idea with regard to water. Councilmember Seibert requested some cost estimates and an estimated payback time for some of these ideas. Staff indicated they would get this to council.

Carmen Rasmussen asked about the revenue from the restaurant. Jim Ballew explained that this is a contracted amount for the lease and it increases 4% annually. She then asked if they had considered using the golf course for other types of functions. Mr. Ballew responded that they have used it for several years for a multi-school cross-country invitational. They have also considered a light display for the holidays. Other evening opportunities exist, but there are issues related to the need for increased staff and security.

John Soriano asked about the family plan promotion idea. Mr. Ballew replied that it is a great idea and they hope to expand on this.

Jon Nehring encouraged discounts and promotions during the week and suggested that if the golf course could ride out the low tide with the industry, they might come out ahead in the future. He thanked Mr. St. Onge and the rest of the committee for all the time and effort spent on behalf of this matter.

#### **DISCUSSION ITEMS**

None.

#### **OTHER ITEMS SCHEDULED FOR THE JANUARY 9, 2006 MEETING**

#### **APPROVAL OF MINUTES.**

- A. December 12, 2005 City Council Meeting.**
- B. January 3, 2006 City Council Work Session.**

#### **CONSENT**

- A. Approval of December 21, 2005 Claims in the Amount of \$247,899.34; Paid by Check No. 27419 through 27540 with Check No. 27346, 27347 and 19547 Void.**

- B. Approval of December 28, 2005 Claims.**
- C. Approval of January 4, 2006 Claims.**
- D. Approval of January 5, 2006 Payroll.**
- E. Approval of New Liquor License for The Odom Corporation (13733 Smokey Point Boulevard).**

There were no comments or questions regarding this item.

- F. Approval of New Liquor License for Ichi Bento & Teriyaki (1206 State Avenue).**

There were no comments or questions regarding this item.

- G. Approval of Liquor License Renewals.**

There were no comments or questions regarding this item.

- H. Accept the Hayho Creek Culvert Replacements Project at 40<sup>th</sup> Avenue NE and the BNSF Railroad as Complete and Begin the 45-day Lien Filing Period.**

Paul Roberts proudly announced that this was completed \$40,000 under budget. Councilmember Seibert suggested getting some pictures of this project on the website. Mr. Roberts thought this was a good idea and said he would look into it.

- I. Authorize Mayor to Sign Third Amendment to Chief Administrative Officer's Contract.**

This was discussed in Executive Session.

#### **REVIEW BIDS**

- A. Comeford Park Community Restroom Renovation Bid.**

Jim Ballew explained that staff is recommending rejecting the one bid received for this project.

#### **PUBLIC HEARINGS**

None.

#### **CURRENT BUSINESS**

None.

## NEW BUSINESS

### A. Shoreline Master Plan.

*This was presented immediately following the golf course presentation at the beginning of the meeting.*

Senior Planner Cheryl Dungan explained that the Planning Commission has recommended approval of the Shoreline Master Plan (SMP) after holding public hearings on 10/25/05 and 11/08/05.

John Owens, consultant from Makers Architecture delivered a PowerPoint presentation which reviewed the SMP.

- Shoreline Management Act jurisdiction
- Contents of a Master Program: goals, policies and Regulations – need to integrate regulations with Critical Areas Ordinance. The City's own CAO would be adopted by reference. Cheryl Dungan distributed some language clarifying this.
- Environmental Designations for each area
- Implications of the Qwuloolt inundation.
- Quilceda Creek – all areas covered by SMP are already protected by CAO.
- Urban Conservancy Environment.
- Allowed uses within each jurisdiction.
- Downtown Waterfront regulations – mixed use encouraged, setbacks required, public access trail.
- Marinas – permitted, remodeled marinas must meet SMP standards, mixed use encouraged, cannot extend into river channel, public access is required.
- Industrial – permitted for water-dependent uses.
- Flood hazard reduction
- Public access is very important
- Vegetation conservation
- Shoreline stabilization
- Parking – no primary use parking
- Utility or Transportation located outside shoreline jurisdiction if possible.
- Restoration Plan

#### Main goals / features:

- Minimize development in Urban Conservancy areas.
- Make sure existing residents and businesses are not adversely affected by the inundation.
- Allow dikes or other measures to protect existing development.
- Make sure public access is pursued for the Ebey waterfront trail.
- Qwuloolt restoration project is an important part of the SMP.
- Agriculture would be allowed but strictly regulated.

#### Future outlook ten years from now:

- Healthier shoreline ecology
- Revitalized waterfront

- Continuous waterfront trail and public access
- Current residents and businesses not adversely affected

Gloria Hirashima commended John Owens and Cheryl Dungan for their work on this plan.

Jeff Seibert asked about regulations regarding construction of a dock on page 74. John Owens explained that this came from the state code. There was discussion about distinctions between saltwater marsh and fresh water as a result of the inundation. Councilmember Seibert had concerns about restricting docks on Ebey Slough. He asked if mooring buoys would be allowed. Mr. Owens replied that this had not been addressed and they would need to look at it. Mr. Seibert suggested allowing these, especially if docks are not allowed. He felt this could be an issue with future annexations. He also pointed out that there was confusion with the wording of provisions that do not apply within the document. Mr. Owens indicated they would look into this. Ms. Hirashima concurred.

Councilmember Seibert then asked about diking regulations. Mr. Owens referred to the matrices on pages 16-18 which show allowed uses within each jurisdiction. Mr. Seibert asked for clarification on the Note #1 on page 18 regarding the regulations for marinas and "upland environments". He then asked if there would be a requirement to provide access to the water through the native vegetation area. Mr. Owens explained that this had not been addressed specifically. He felt this allowed for more flexibility.

Councilmember Soriano asked if the proposed Qwuloolt project would clean out the canary reed grass. Ms. Dungan replied that they are looking at that now.

Carmen Rasmussen asked about the vagueness of the language of goal #8 on page 7: *Encourage public and private shoreline owners to control populations of invasive or noxious plants and animals.* Mr. Owens replied that the goals are intentionally more general; the specifics would be addressed in the regulations.

Paul Roberts expressed concerns about language in the Utilities and Transportation section. He noted that expansion of the wastewater utilities would be likely in the near future. The SMP would need to reflect the situation the City will be facing with regard to this. He also had concerns about dike and flood control issues.

Mr. Seibert applauded regulations for pump-out facilities for live-aboards. He asked about the definition of live-aboards and how they came up with the 10% figure. Mr. Owens explained that the figure would allow the City to enforce if it ever perceives it as a problem. Mr. Seibert suggested limiting availability of power and telephone if there are no pump-out facilities.

There were no further comments or questions regarding this item.

## LEGAL

### A. Recovery Contract for Alexander Reed Construction, Inc.

There was no discussion regarding this item.

## ORDINANCES AND RESOLUTIONS

### A. Resolution of the City of Marysville Regarding General Obligation Bonds for School Construction.

### B. Resolution of the City of Marysville Regarding Replacement Education Programs and Operations Levy for the Marysville School District.

Mayor Kendall explained that the school district has requested that the Council endorse the two above propositions. Mayor Kendall solicited comments from the Council on whether to encourage citizens to vote in favor or simply to get out and vote.

- Councilmember Vaughan stated that he had not been in favor of this before because he did not like the precedent. He still felt the same way, but he did hope people would support this.
- Councilmember Seibert was in favor of supporting the bond and encouraging residents to vote on the levy.
- Councilmember Soriano was in favor of simply urging residents to vote.
- Councilmember Wright was in favor of supporting the bond, but just encouraging citizens to vote on the levy.
- Councilmember Nehring concurred with Councilmembers Soriano and Vaughan. He did not like implying that one was more important than the other.
- Councilmember Rasmussen felt strongly about encouraging people to vote, but was not comfortable with telling them which way to vote.
- Councilmember Phillips was in favor of getting people out to vote.

## INFORMATION ITEMS

### A. Mayor's Business

Mayor Kendall stated that they would be choosing a Mayor Pro Tem for 2006 at the next meeting. They also need to reconfirm some appointments and various committee board members.

He noted that they need to rename the street (67<sup>th</sup>) going up the hill to 88<sup>th</sup> and he had been informed that they could make it a boulevard.

He pointed out the handbook for councilmembers' procedures which will be reviewed on January 17<sup>th</sup>.

### B. Staff Business

**Jim Ballew** reported that during the last cold spell the Marysville Community Campus building broke a pipe and received water damage to 20% of the building. This will be covered by insurance. He reported with regret that there had been a significant amount of vandalism over the holiday break.

**Paul Roberts** wished everyone Happy New Year and noted an insurance issue would be coming soon.

**Gloria Hirashima** reported that the Hearing Examiner upheld staff's recommendation for the 64<sup>th</sup> Street Plaza appeal and they are very pleased with that. The County Council finished their Comprehensive Plan Update and all the areas requested by the City were included. She then reviewed some of the development activity occurring.

**Craig Knutson** had one personnel item for Executive Session.

**Mary Swenson** also reviewed the significant development in the area. She commended Public Works and Community Development staff for handling the issues associated with this development.

She noted that they are thrilled with the outcome of the expansion areas. They are also committed to continuing a positive working relationship with Lake Stevens. She added that the residents of Whiskey Ridge are very happy with the result.

### **C. Call on Councilmembers**

**Lee Phillips** wished everyone Happy New Year.

**Carmen Rasmussen** stated that she would be attending the workshop for newly elected officials on Friday.

**Jeff Vaughan** reported that citizens had approached him about a big pothole on 88<sup>th</sup> and State Avenue. Councilmember Phillips added that there is a rut at the same intersection that could present a danger to motorcycles. Paul Roberts stated that he would look into that.

**Jon Nehring** wished everyone Happy New Year. He reviewed the positive direction the City has taken. He commended Community Development for their efficient handling of the permitting process. He was thrilled with all the new business coming into the City. He expressed appreciation to Snohomish County Councilmembers Sievers, Gosset and Koster for supporting the City.

**Jeff Seibert** discussed an initiative to limit property tax. He felt that there is great misconception about how the property tax system works and suggested developing a strategy for educating citizens. He also recommended keeping an eye on the Farm Bureau's initiative for damaged land if it is determined to be a wetland. He commented that he had been surprised that Snohomish County had gone with the moderate level.

**John Soriano** wished everyone Happy New Year. Regarding the UGA expansion areas, he noted that the Chamber of Commerce had also put in supportive e-mails. He commented that the YMCA had also experienced vandalism during the break.

**Donna Wright** was happy to be at the meeting. She reported that she had been contacted by the president of the Wexford Homeowners Association regarding concerns with a neighbors' storage situation.

Lee Phillips suggested sending a thank you to the Tribes for their hospitality last month. Mary Swenson indicated they would do that.

#### ADJOURNMENT

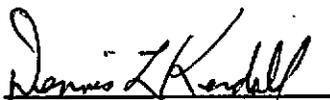
Mayor Kendall recessed into Executive Session at 9:10 p.m.

#### EXECUTIVE SESSION

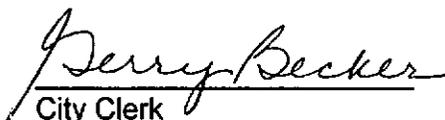
Council met in Executive Session at 9:15 p.m., discussed one personnel issue, and reconvened into Regular Session at 9:20 p.m.

Taking no action and seeing no further business, Mayor Kendall adjourned the meeting at 9:21 p.m.

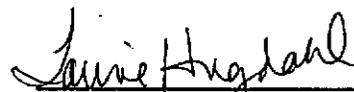
Approved this 9<sup>th</sup> day of January, 2006.



Mayor  
Dennis Kendall



City Clerk  
Gerry Becker



Recording Secretary  
Laurie Hugdahl